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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/616,118	07/09/2003	Vernon R. Brethour	Time.165

 George P. Kobler, Esq.  
 Time Domain Corporation  
 7057 Old Madison Pike  
 Huntsville, AL 35806

CONFIRMATION NO. 2196

FORMALITIES LETTER



\*OC000000010999973\*

Date Mailed: 10/09/2003

**NOTICE TO FILE CORRECTED APPLICATION PAPERS*****Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 3,4,7.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
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 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


*Nguyen P. Trinh*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
<b>STATEMENT OF FACTS</b>	Atty. Docket No. <b>ALER1560-1</b>
Applicant <b>Vernon R. Brethour</b>	
Application Number <b>10/616,118</b>	Date Filed <b>07/09/2003</b>
Title <b>Method for Generating Communication Signal Sequences Having Desirable Correlation Properties and System for Using Same</b>	
Group Art Unit <b>2631</b>	Examiner <b>Unknown</b>
Confirmation Number: <b>2196</b>	

Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 Fax (703) 872-9306

Dear Sir:

<p align="center"><b><u>Certificate of Mailing Under 37 C.F.R. §1.10</u></b></p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail to Addressee (<i>Label No. EV516703399US</i>) in an envelope addressed to Office of Petitions, Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on <b>December 27, 2004</b>.</p> <p align="right">         Janice Pampell     </p>
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Applicant, Alereon, Inc., entered into a Technology Assignment and License Agreement executed on January 22, 2004 with Time Domain Corporation. According to that License Agreement, Alereon acquired certain intellectual property, including the above-identified patent application.

In Mid-June, 2004, Alereon supplied new counsel with a file containing the above-identified application as filed with the U.S. Patent Office. The only items in that file were the initial patent application filing papers. On July 6, 2004, Alereon transferred the above-identified file to the law firm of Sprinkle IP Law Group for handling. On September 21, 2004, Applicant filed a Revocation and Power of Attorney and Change of Mailing Address with the U.S. Patent Office.

On October 22, 2004, our office received a phone call from Mark Roberts, the attorney who originally filed the above-identified application. Mr. Roberts notified our office he was in receipt of a *Notice of Abandonment* dated October 19, 2004 in reference to the above-identified matter. The application was abandoned for failure to respond to a *Notice to Correct Application Papers* dated October 9, 2003.


Applicant was not aware of the *Notice to Correct Application Papers* because the *Notice* was not in the file when Applicant received the file from the former law firm. Accordingly, the above identified application became abandoned for failure to timely respond to *Notice to File Corrected Application Papers* as specified in the *Notice of Abandonment* dated October 19, 2004.

Applicant states abandonment of this application was completely unintentional, and as such, Applicant hereby petitions for revival of this application.

Respectfully submitted,

**Sprinkle IP Law Group**

Date *Dec 27, 2004*  
1301 W. 25<sup>th</sup> St., Suite 408  
Austin, Texas 78705  
Tel. (512) 637-9225  
Fax. (512) 371-9088

  
John L. Adair  
Reg. No. 48,828

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REPLY TO NOTICE TO CORRECT APPLICATION PAPERS**

Atty. Docket No.  
**ALER1560-1**



Applicants <b>Vernon R. Brethour</b>	
Application Number <b>10/616,118</b>	Filed <b>07/09/03</b>
For <b>Method for Generating Communication Signal Sequences Having Desirable Correlation Properties and System for Using Same</b>	
Group Art Unit <b>2631</b>	Examiner <b>Unknown</b>
Confirmation No. <b>2196</b>	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**Certification Under 37 C.F.R. §1.40**

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*Janice Pampell*  
Janice Pampell

In response to the Notice to File Corrected Application Papers dated October 9, 2003, Applicants submit herewith:

1. A copy of the Notice to File Corrected Application Papers;
2. Ten (10) pages of corrected/replacement drawings.

Applicants are hereby submitting 10 pages of corrected drawings. Please see the Amendments to the Drawings section below for further detail.